

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

LOUISIANA WHOLESALE DRUG CO., INC.,)	Civil Action No. 07-cv-7343 (HB)
)	
Plaintiff,)	Hon. Harold Baer, U.S.D.J.
)	ECF CASE
v.)	
)	
SANOFI-AVENTIS, SANOFI-AVENTIS)	
U.S., LLC and AVENTIS)	
PHARMACEUTICALS, INC.,)	
)	
Defendants.)	
)	

**DEFENDANT SANOFI-AVENTIS' MOTION TO DISMISS FOR
INSUFFICIENCY OF SERVICE OF PROCESS**

NOW INTO COURT, through its undersigned counsel, comes defendant sanofi-aventis, who, pursuant to Fed. R. Civ. P. 12(b)(5) and for reasons more fully set forth in the accompanying Memorandum of Law, moves for the dismissal of Plaintiff Louisiana Wholesale Drug Co., Inc.'s Complaint for insufficiency of service of process.

WHEREFORE, sanofi-aventis prays that this Honorable Court grant this Motion to Dismiss for Insufficiency of Service of Process.

Dated: October 19, 2007

Respectfully submitted,

/s/ Christopher R. Farrell

John M. Majoras

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CERTIFICATE OF SERVICE

I, Christopher R. Farrell, certify that the foregoing Motion to Dismiss the Complaint for Insufficiency of Service of Process was served on October 19, 2007, on the counsel listed below in the manner(s) indicated below:

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/s/ Christopher R. Farrell
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PROPOSED ORDER

Upon consideration of Defendant sanofi-aventis' Motion to Dismiss the Complaint for Insufficiency of Service of Process, it is this ____ day of _____, 2007, hereby

ORDERED that Plaintiff Louisiana Wholesale Drug Co., Inc.'s Complaint is DISMISSED with prejudice as to Defendant sanofi-aventis.

UNITED STATES DISTRICT JUDGE